

# THE HIGH COURT'S ASOCIAL VISION



Bill Donohue comments on the majority opinion in yesterday's Supreme Court decision on the Defense of Marriage Act (DOMA):

Throughout history it was next to impossible to discuss marriage without discussing children. That's changed. In yesterday's decision overturning DOMA, children were mentioned only five times, and in every instance it was the children of homosexual partners who were cited. Never once were the offspring of heterosexual unions mentioned, even though every child who was ever born sprung from such unions. All that seems to matter to the high court are the alleged rights of individuals.

No one on the Supreme Court embraces radical individualism more than Justice Anthony Kennedy, the author of the majority opinion. This was not virgin territory for him. Ten years ago he wrote the majority opinion in *Lawrence v. Texas*, the ruling that legalized homosexual sodomy. Some are now saying that Kennedy is the most "gay friendly" member of the Supreme Court, but this misses the point: it is not his sympathy for gay rights that motivates him, it is his sociological imagination.

When Kennedy wrote *Lawrence*, he relied heavily on the 1992 *Planned Parenthood v. Casey* decision that bolstered abortion rights. He coauthored that ruling, the most unforgettable line of which gave new meaning to radical individualism: "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of life."

In this asocial vision, all we have are unhinged individuals, men and women who go about their business willy-nilly, creating and recreating their world, without any collective end. Solzhenitsyn called this condition anthropocentricity, a situation wherein man is seen "as the center of all."

I would simply call it sociological illiteracy. This is the intellectual source of our problems, not the bizarre idea of two men marrying.